

1 Plaintiff BERCUT-VANDERVOORT & CO. and Defendant MAISON TARRIDE
2 LEDROIT & CIE, by and through their respective counsel, hereby report that they have met and
3 conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R.,
4 Rule16-8 and ADR L.R. 3-5:

5 The parties agree to participate in mediation (ADR L.R. 6).

6 The parties agree to hold the mediation within120 days from the date of the order
7 referring the case to an ADR process unless otherwise ordered.

8
9
10 Dated: April 17, 2006

KRIEG, KELLER, SLOAN, REILEY & ROMAN LLP

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12 By: _____/S/_____
13 ANNE E. KEARNS
14 Attorneys for Plaintiff BERCUT-VANDERVOORT & Co.

15 Dated: April 17, 2006

PERKINS COIE LLP

16
17 By: _____/S/_____
18 K.C. ALLAN
19 Attorneys for Defendant MAISON TARRIDE LEDROIT & CIE

20 **[PROPOSED] ORDER**

21 Pursuant to the Stipulation above, the captioned matter is hereby referred to mediation. The
22 deadline for mediation is 120 days from the date of this Order.

23
24 IT IS SO ORDERED:

25 Date: 4/26/06

26 
27 THE HONORABLE JEREMY FOGEL
28 UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

BERCUT-VANDERVOORT V. MTL
USDC-NORTHERN DISTRICT CASE NO. C05-5122 JF

I, the undersigned, declare under penalty of perjury under the laws of the State of California that the following is true and correct:

I am employed in the City and County of San Francisco, State of California, in the office of a member of the bar of this court, at whose direction the service was made. I am over the age of eighteen (18) years and not a party to or interested in the within-entitled action. I am an employee of KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP, and my business address is 114 Sansome Street, 4th Floor, San Francisco, California 94104.

On April 17, 2006, I served following document(s)

ADR CERTIFICATION BY PARTIES AND COUNSEL

STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS

on the person(s) listed below:

ADR Unit
ADR Program
USDC, Northern District of California
450 Golden Gate Avenue, 16th Floor
San Francisco, CA 94102

Served via E-Mail at adr@cand.uscourts.gov

The document(s) were served by the following means:

— **By PERSONAL SERVICE.** I personally delivered the documents to the persons at the addresses listed above. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the document in an envelope or package clearly labeled to identify the attorney being served with a receptionist or an individual in charge of the office. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not less than 18 years of age between the hours of 8:00 a.m. and 6:00 p.m.

— **By UNITED STATES MAIL.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed above; and (1) deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid; or (2) placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at San Francisco, California.

— **By OVERNIGHT DELIVERY.** I enclosed the documents in an envelope or package provided

CERTIFICATE OF SERVICE

BERCUT-VANDERVOORT V. MTL
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by an overnight delivery carrier and addressed to the persons at the addresses listed above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

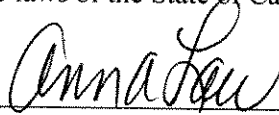
— By **MESSENGER SERVICE**. I served the documents by placing them in an envelope or package addressed to the person at the address listed above and providing them to a professional messenger service for service. *(A declaration by the messenger must accompany this Proof of Service or be contained in the Declaration of Messenger below).*

— By **FAX TRANSMISSION**. Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed above. No errors were reported by the fax machine that I used.

X By **E-MAIL OR ELECTRONIC TRANSMISSION**. Based on a court order or an agreement of the party to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed above. I did not receive, within a reasonable time after the transmission, any electronic messages or other indication that the transmissions were unsuccessful.

I declare under the penalty under the laws of the State of California that the foregoing is true and correct.

Dated: April 17, 2006



Anna Lau